

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MASONS SUPPLY COMPANY, an
Oregon domestic business corporation,

Plaintiff,

v.

FRED FREEMAN, an individual, and
SALMON BAY SAND AND GRAVEL
COMPANY, a Washington company.

Defendants.

Case No. 2:24-cv-00280-RAJ

ORDER

THIS MATTER comes before the Court on Plaintiff Masons Supply Company's ("MASCO") *Ex Parte* Motion for Expedited Discovery and Interim Protective Order. Dkt. # 9. MASCO filed their Amended Complaint bringing claims related to Defendant Fred Freeman's alleged misappropriation of trade secrets stemming from his employment at MASCO. Dkt. # 8. On March 4, 2024, MASCO filed the instant motion seeking expedited discovery pursuant to Federal Rule of Civil Procedure 26(d) in the form of a limited deposition of Freeman, requests for production to Freeman and Defendant Salmon Bay, and a request for inspection of a flash drive allegedly used by Freeman to

1 download sensitive MASCO documents. Dkt. # 9. Further, MASCO seeks entry of an
2 interim protective order based on the Western District of Washington's model protective
3 order. *Id.* at 3. Both Freeman and Salmon Bay have filed objections to MASCO's motion.
4 Dkt. ## 16, 18. All parties, through counsel, appeared before this Court for a
5 teleconference regarding Plaintiff's motion on March 20, 2024. Dkt. # 23.

6 At the teleconference, all parties consented to engage a neutral third-party, such as
7 a judicial mediator or arbitrator, to assist the parties in resolving Plaintiff's outstanding
8 motion. Dkt. # 23. Therefore, this Court hereby **ORDERS** all parties to engage the
9 services of a neutral third-party to resolve the instant dispute and provide a status update
10 to this Court within twenty (20) days. If the parties cannot agree on a neutral third-party,
11 each party shall submit to this Court three (3) options by Monday, March 25, 2024 at
12 5:00 p.m., and this Court shall make a determination as to whom the parties shall engage.
13 The cost of the neutral third-party's services shall be shared equally amongst MASCO,
14 Freeman, and Salmon Bay. If the parties are unable to engage the services of a neutral
15 third-party within twenty days, the parties shall advise this Court immediately.

16 This Court **STRIKES** MASCO's Motion for Expedited Discovery. Dkt. # 9. The
17 parties may have the opportunity to re-file the instant motion, or any other discovery
18 motions, as needed. Further, the deadline for Defendants to file an Answer to MASCO's
19 Amended Complaint is hereby **STAYED** pending resolution of the instant dispute.

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21 DATED this 20th day of March, 2024.

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26 The Honorable Richard A. Jones
27 United States District Judge